

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID NGUYEN,

Plaintiff,

- against -

FN Y HOLDINGS, LLC, et al.,

Defendants.
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ORDER

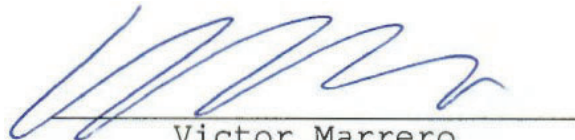
21 Civ. 4079 (VM)

VICTOR MARRERO, United States District Judge.

On October 4, 2021, Plaintiff David Nguyen filed a letter motion requesting a pre-motion conference to obtain guidance with respect to their intended motion for judgment on the pleadings pursuant to Rule 12 (c) of the Federal Rules of Civil Procedure ("Rule 12(c)"). (See Dkt. No. 24.) On October 12, 2021, Defendants filed a letter motion responding to Plaintiff and stating their intent to cross-move for the same relief under Rule 12(c). (See Dkt. No. 29.)

After reviewing the submissions, the Court does not believe a conference is necessary at this time. Instead, the court is inclined to treat the parties' pre-motion letters as a motion for judgment on the pleadings, see Kapitalforeningen Lægernes Invest. v. United Techs. Corp., 779 F. App'x 69, 70 (2d Cir. 2019) (affirming the district court ruling deeming an exchange of letters as fully submitted motion), but if further briefing becomes necessary the Court will direct the parties to file additional material.

Dated: December 3, 2021
New York, New York


Victor Marrero
U.S.D.J.